

The CHAIRMAN. Is there objection to the request of the gentlewoman from Texas?

There was no objection.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the gentleman from Indiana (Chairman BURTON); the gentleman from California (Mr. WAXMAN), the ranking member; the gentleman from California (Mr. HORN), the subcommittee chair; and the gentleman from Texas (Mr. TURNER) for their cooperation on the amendment that I am about to offer. I want to commend my colleagues for their bipartisan fashion on working on this legislation.

I believe a study should be incorporated to properly assess due process concerns raised by recovery audits performed on a contingency basis for their constituency or error identification.

Let me say that the underlying bill I applaud, and I do believe that it will be an important new vehicle to help save the Government money. In particular, for example, in purchases such as a new weapons system, it is extremely important for us to be able to recover overpayments. However, I think this amendment will provide us with additional assistance.

The Government Waste Corrections Act focuses on recovery auditing of an agency spending for direct contracting, the purchase of goods and services for direct benefit and the use of the Government.

The legislation, appropriately, does not require recovery auditing for programs that involve payments to third parties. Indeed, this legislation could include audits of payments to a contractor to build a new veteran's hospital or other systems. Regretfully, however, the bill does not contain sufficient explanation of the procedural aspects, such as due process concerns for those affected of recovery auditing that will occur on a contingency basis.

For example, notices of payments on demand are very important to targets of audits. This ensures that everyone understands what is owed. Recovery auditing may provide the wrong kind of incentives to those justifiably trying to identify Government waste.

Therefore, I am offering an amendment to require the Office of Management and Budget to study the effects of recovery audits authorized by this legislation, including any significant problems about proper notice to persons who are subjects of such audits.

I think if we do this research, Mr. Chairman, we will be able to determine whether or not we are giving the appropriate notice so that those who are the subject of an audit can appropriately respond but, as well, appropriately refund the monies that may have been overspent by the Government.

I ask my colleagues to join me in supporting this amendment to a very good piece of legislation that will address both the issue of overpayments but, as well, the questions of due process and being fair to our large, medium, and small businesses that do

business with the United States Government.

Mr. BURTON of Indiana. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, there is a reporting requirement in the bill in section 3565(c) of the legislation under the Responsibilities of the Office of Management and Budget. However, if the gentlewoman from Texas (Ms. JACKSON-LEE) feels like this is necessary to have an additional study, even though I think that is covered in the bill, we have no objection to it, and we will accept the amendment.

Mr. TURNER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in support of the amendment offered by my colleague from Texas (Ms. JACKSON-LEE).

This amendment would require OMB to conduct a study on the adequacies of the notices on overpayments provided to the companies that are subject to recovery audits.

Companies that are audited deserve to know detailed information about the nature of the overpayments that the recovery auditors identify.

1330

I appreciate the remarks made by the gentleman from Indiana. I think it is appropriate that we include this in this bill. I want to commend the gentlewoman from Texas for bringing this amendment forward. I would urge its adoption.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON-LEE). The amendment was agreed to.

The CHAIRMAN. The question is on the amendment in the nature of a substitute, as amended.

The amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mrs. FOWLER) having assumed the chair, Mr. BARRETT of Nebraska, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 1827) to improve the economy and efficiency of Government operations by requiring the use of recovery audits by Federal agencies, pursuant to House Resolution 426, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. BURTON of Indiana. Madam Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until approximately 2 p.m.

Accordingly (at 1 o'clock and 32 minutes p.m.), the House stood in recess until approximately 2 p.m.

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AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. BARRETT of Nebraska) at 2 o'clock and 2 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to the provisions of clause 8 of rule XX, the Chair will now put the question on the passage of H.R. 1827 and each motion to suspend the rules on which further proceedings were postponed earlier today in the order in which that motion was entertained.

Votes will be taken in the following order:

H.R. 1827, de novo;

H.R. 2952, de novo; and

H.R. 3018, de novo.

The Chair will reduce to 5 minutes the time for any electronic vote after the first such vote in this series.

GOVERNMENT WASTE CORRECTIONS ACT OF 1999

The SPEAKER pro tempore. The pending business is the question de novo of the passage of the bill, H.R. 1827, on which further proceedings were postponed.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. BURTON of Indiana. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 375, nays 0, not voting 59, as follows:

[Roll No. 29]

YEAS—375

Abercrombie	Doggett	Knollenberg
Ackerman	Doyle	Kolbe
Aderholt	Dreier	LaFalce
Allen	Duncan	LaHood
Andrews	Edwards	Lampson
Archer	Ehlers	Largent
Armey	Emerson	Larson
Baca	Engel	Latham
Bachus	English	Lazio
Baird	Etheridge	Leach
Baker	Evans	Lee
Baldacci	Everett	Levin
Baldwin	Ewing	Lewis (CA)
Ballenger	Farr	Lewis (GA)
Barcia	Fattah	Lewis (KY)
Barr	Fletcher	Linder
Barrett (NE)	Foley	Lipinski
Barrett (WI)	Forbes	LoBiondo
Bartlett	Fossella	Lofgren
Barton	Fowler	Lowey
Bass	Frank (MA)	Lucas (KY)
Bateman	Franks (NJ)	Lucas (OK)
Becerra	Frelinghuysen	Luther
Bentsen	Frost	Maloney (CT)
Bereuter	Ganske	Maloney (NY)
Berkley	Gejdenson	Manzullo
Berry	Gekas	Markey
Biggart	Gephardt	Mascara
Bilirakis	Gibbons	Matsui
Bishop	Gilchrest	McCarthy (MO)
Blagojevich	Gilman	McCarthy (NY)
Bliley	Gonzalez	McCollum
Blumenauer	Goode	McCrery
Blunt	Goodlatte	McDermott
Boehrlert	Goodling	McGovern
Boehner	Gordon	McHugh
Bonilla	Goss	McInnis
Bonior	Graham	McIntosh
Borski	Granger	McIntyre
Boswell	Green (TX)	McNulty
Boucher	Green (WI)	Meehan
Boyd	Greenwood	Meek (FL)
Brady (PA)	Gutierrez	Meeks (NY)
Brady (TX)	Gutknecht	Menendez
Brown (FL)	Hall (OH)	Menclaff
Bryant	Hall (TX)	Mica
Burr	Hansen	Miller (FL)
Burton	Hastings (FL)	Minge
Buyer	Hastings (WA)	Mink
Callahan	Hayes	Moakley
Camp	Hayworth	Mollohan
Canady	Hefley	Moore
Cannon	Hill (IN)	Moran (KS)
Capuano	Hill (MT)	Moran (VA)
Cardin	Hilleary	Morella
Carson	Hilliard	Murtha
Castle	Hinchey	Myrick
Chabot	Hobson	Nadler
Chambliss	Hoefel	Neal
Chenoweth-Hage	Hoekstra	Nethercutt
Clay	Holden	Ney
Clayton	Holt	Northup
Clement	Hooley	Nussle
Clyburn	Horn	Oberstar
Coble	Hostettler	Obey
Coburn	Houghton	Olver
Collins	Hoyer	Ortiz
Combust	Hulshof	Ose
Condit	Hutchinson	Oxley
Conyers	Hyde	Pallone
Cook	Inslee	Pastor
Cooksey	Isakson	Paul
Costello	Istook	Pease
Coyne	Jackson (IL)	Pelosi
Cramer	Jackson-Lee	Peterson (MN)
Crane	(TX)	Peterson (PA)
Crowley	Jefferson	Petri
Cummins	Jenkins	Phelps
Davis (FL)	John	Pickering
Davis (VA)	Johnson (CT)	Pickett
DeGette	Johnson, E.B.	Pitts
Delahunt	Johnson, Sam	Pombo
DeLauro	Jones (NC)	Pomeroy
DeLay	Kanjorski	Porter
DeMint	Kaptur	Portman
Deutsch	Kelly	Price (NC)
Diaz-Balart	Kennedy	Pryce (OH)
Dickey	Kilpatrick	Quinn
Dicks	King (NY)	Rahall
Dingell	Kingston	Ramstad
Dixon	Klecza	Rangel
		Regula

Reyes	Sisisky	Toomey
Reynolds	Skeen	Towns
Riley	Skelton	Trafigant
Rivers	Slaughter	Turner
Rodriguez	Smith (MI)	Udall (CO)
Roemer	Smith (NJ)	Udall (NM)
Rogers	Smith (TX)	Upton
Ros-Lehtinen	Smith (WA)	Velazquez
Rothman	Snyder	Visclosky
Roukema	Spratt	Vitter
Ryan (WI)	Stabenow	Walden
Ryun (KS)	Stark	Walsh
Sabo	Stearns	Wamp
Salmon	Stenholm	Watkins
Sanchez	Strickland	Watt (NC)
Sanders	Stump	Watts (OK)
Sandlin	Stupak	Waxman
Sanford	Sununu	Weiner
Sawyer	Sweeney	Weldon (FL)
Saxton	Talent	Weldon (PA)
Schakowsky	Tancred	Weller
Scott	Tauscher	Wexler
Sensenbrenner	Tauzin	Weygand
Serrano	Taylor (MS)	Whitfield
Sessions	Taylor (NC)	Wicker
Shadegg	Terry	Wilson
Shaw	Thomas	Wise
Shays	Thompson (CA)	Wolf
Sherman	Thompson (MS)	Wu
Sherwood	Thornberry	Wynn
Shimkus	Thune	Young (AK)
Shows	Thurman	Young (FL)
Shuster	Tiahrt	
Simpson	Tierney	

NOT VOTING—59

Berman	Gallegly	Napolitano
Bilbray	Gillmor	Norwood
Bono	Heger	Owens
Brown (OH)	Hinojosa	Packard
Calvert	Hunter	Pascarell
Campbell	Jones (OH)	Payne
Capps	Kasich	Radanovich
Cox	Kind (WI)	Rogan
Cunningham	Klink	Rohrabacher
Danner	Kucinich	Roybal-Allard
Davis (IL)	Kuykendall	Royce
Deal	Lantos	Rush
DeFazio	LaTourette	Scarborough
Dooley	Martinez	Schaffer
Doolittle	McKeon	Souder
Dunn	McKinney	Spence
Ehrlich	Millender	Tanner
Eshoo	McDonald	Vento
Filner	Miller, Gary	Waters
Ford	Miller, George	Woolsey

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So the bill was passed.

The result of the vote was announced as above recorded.

The title of the bill was amended so as to read:

A bill to improve the economy and efficiency of Government operations by requiring the use of recovery audits and recovery activity by Federal agencies.

A motion to reconsider was laid on the table.

Stated for:

Mr. ROYCE. Mr. Speaker, on rollcall No. 29 I was inadvertently detained. Had I been present, I would have voted "yes."

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. Barrett of Nebraska). Pursuant to clause 8 of rule XX, the Chair will reduce to 5 minutes the minimum time for electronic voting on each motion to suspend the rules on which the Chair has postponed further proceedings.

KEITH D. OGLESBY STATION

The SPEAKER pro tempore. The pending business is the question de novo of suspending the rules and passing the bill, H.R. 2952.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Nebraska (Mr. Terry) that the House suspend the rules and pass the bill, H.R. 2952.

The question was taken.

RECORDED VOTE

Mr. FOSSELLA. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 377, nays 0, not voting 57, as follows:

[Roll No. 30]

AYES—377

Abercrombie	Cubin	Hinchey
Ackerman	Cummings	Hobson
Aderholt	Davis (FL)	Hoefel
Allen	Davis (VA)	Hoekstra
Andrews	Deal	Holden
Archer	DeGette	Holt
Baca	Delahunt	Hooley
Bachus	DeLauro	Horn
Baird	DeLay	Hostettler
Baker	DeMint	Houghton
Baldacci	Deutsch	Hoyer
Baldwin	Diaz-Balart	Hulshof
Ballenger	Dickey	Hunter
Barcia	Dicks	Hutchinson
Barr	Dingell	Hyde
Barrett (NE)	Dixon	Inslee
Barrett (WI)	Doggett	Isakson
Bartlett	Doolittle	Istook
Barton	Doyle	Jackson (IL)
Bass	Dreier	Jackson-Lee
Bateman	Duncan	(TX)
Becerra	Edwards	Jefferson
Bentsen	Ehlers	Jenkins
Bereuter	Ehrlich	John
Berkley	Emerson	Johnson (CT)
Berry	Engel	Johnson, E. B.
Biggart	English	Johnson, Sam
Bilirakis	Etheridge	Jones (NC)
Bishop	Evans	Kanjorski
Blagojevich	Everett	Kaptur
Bliley	Ewing	Kelly
Blumenauer	Farr	Kennedy
Blunt	Fattah	Kildee
Boehrlert	Fletcher	Kilpatrick
Boehner	Foley	King (NY)
Bonilla	Forbes	Kingston
Bonior	Fossella	Klecza
Borski	Fowler	Knollenberg
Boswell	Frank (MA)	Kolbe
Boucher	Franks (NJ)	LaFalce
Boyd	Frelinghuysen	LaHood
Brady (PA)	Frost	Lampson
Brown (FL)	Ganske	Largent
Bryant	Gejdenson	Larson
Burr	Gekas	Latham
Burton	Gephardt	Lazio
Buyer	Gibbons	Leach
Callahan	Gilchrest	Levin
Camp	Gilman	Lewis (CA)
Canady	Gonzalez	Lewis (GA)
Cannon	Goode	Lewis (KY)
Capuano	Goodlatte	Linder
Cardin	Goodling	Lipinski
Carson	Gordon	LoBiondo
Castle	Goss	Lofgren
Chabot	Graham	Lowey
Chambliss	Granger	Lucas (KY)
Chenoweth-Hage	Green (TX)	Lucas (OK)
Clay	Green (WI)	Luther
Clayton	Greenwood	Maloney (CT)
Clement	Gutierrez	Maloney (NY)
Clyburn	Gutknecht	Manzullo
Coble	Hall (OH)	Markey
Coburn	Hall (TX)	Mascara
Collins	Hansen	Matsui
Combust	Hastings (FL)	McCarthy (MO)
Condit	Hastings (WA)	McCarthy (NY)
Conyers	Hayes	McCollum
Cook	Hayworth	McCrery
Cooksey	Hefley	McDermott
Costello	Herger	McGovern
Coyne	Hill (IN)	McHugh
Cramer	Hill (MT)	McInnis
Crane	Hilleary	McIntosh
Crowley	Hilliard	McIntyre